

**UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 22-80114-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMILCAR NOE ZELAYA-ALMENDAREZ,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon the Report and Recommendation entered by Magistrate Judge Bruce E. Reinhart following Change of Plea Hearing [ECF No. 19]. On September 19, 2022, Magistrate Judge Reinhart held a Change of Plea hearing [ECF No. 17] during which Defendant pled guilty to violating 8 U.S.C. § 1326(a) [ECF No. 3]. Magistrate Judge Reinhart thereafter issued a Report recommending that the Court accept Defendant's guilty plea to the Indictment, that the Court find Defendant to have freely and voluntarily entered his guilty plea, and that the Court adjudicate him guilty of the Indictment [ECF No. 3]. No party has filed objections to the Report, and the time to do so has expired.

The Court has conducted a review of the record and finds no error in the Report. Therefore, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 19] is **AFFIRMED AND ADOPTED**.
2. The guilty plea entered into by Defendant Amilcar Noe Zelaya-Almendarez as to the sole count of the Indictment is **ACCEPTED**.
3. Defendant Amilcar Noe Zelaya-Almendarez is adjudicated guilty of the sole count of

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the Indictment, which charges him with illegal re-entry into the United States after deportation or removal in violation of 8 U.S.C. § 1326(a) and (b)(2).

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 5th day of October 2022.



A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', is written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record